

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

In re

ROLLOFFS HAWAII, LLC,

Debtor.

DANE S. FIELD, Chapter 7 Trustee for
the Estate of Rolloffs Hawaii, LLC,

Plaintiff,

v.

TRASHMASTERS, LLC; CORRIDOR
CAPITAL LLC; CORRIDOR
CAPITAL ADVISORS, LLC;
CORRIDOR TRASHMASTERS, L.P.;
SPB MANAGEMENT, LLC; SPB
WASTE, LLC; SPB CAPITAL GP,
LLC; SPB CAPITAL PARTNERS,
L.P.; SPB PARTNERS, LLC; CRAIG
ENENSTEIN; L. GEOFFREY
GREULICH; EDWARD A.
MONNIER; JESSAMYN DAVIS; ARI
D. BASS; SCOTT R. BULLOCH;
KENNETH M. PRESSBERG;
KRISTIAN GOURLAY; DOUGLAS
L. ASAY; DOUGLAS D. ASAY;
CHARLES E. LEONARD; BRIAN
COLBECK [ESTATE OF BRIAN
COLBECK]; ROLLOFFS HAWAII,
INC.; THE KNG GROUP, LLC;
COLBECK CONSULTING LLC;
JOHN DOES 1-50; JANE DOES 1-50;

Civil No. 20-00365 - LEK-KJM

U.S. Bankruptcy Court-Hawaii
Case No. 16-01294 (Chapter 7)

Adversary Proceeding No. 18-90035

**FINAL ORDER AND JUDGMENT
ADOPTING RECOMMENDATION
RE: TRUSTEE'S PETITION FOR
DETERMINATION OF GOOD
FAITH SETTLEMENT [RE:
TRASHMASTERS, CORRIDOR
AND SPB DEFENDANTS]**

DOE CORPORATIONS 1-50; DOE PARTNERSHIPS 1-50; DOE ENTITIES 1-50,

Defendants.

DANE S. FIELD, Chapter 7 Trustee for the Estate of Rolloffs Hawaii, LLC

Adversary Proceeding No. 18-90034

Plaintiff,

v.

TRASHMASTERS, LLC; COLBECK CONSULTING LLC; BRIAN COLBECK; JOHN DOES 1-50; JANE DOES 1-50; DOE CORPORATIONS 1-50; PARTNERSHIPS 1-50; DOE ENTITIES 1-50,

Defendants.

**FINAL ORDER AND JUDGMENT ADOPTING
RECOMMENDATION RE: TRUSTEE'S PETITION FOR
DETERMINATION OF GOOD FAITH SETTLEMENT
[RE: TRASHMASTERS, CORRIDOR, AND SPB DEFENDANTS]**

On August 25, 2020, the United States Bankruptcy Judge Robert J. Faris issued a Report and Recommendation ("Report and Recommendation") to the District Court in which he recommended that this Court grant the Trustee's Petition for Determination of Good Faith Settlement [Re: TrashMasters, Corridor, and SPB Defendants] (the "Petition"). [Notice of Transmittal, Attachment 1 (Report and Recommendation); filed 8/25/20 (dkt. no. 1-1); id., Exh. C (Petition).]

The Court having reviewed and considered the Report and Recommendation and all relevant filings, and having found that good cause exists,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Court adopts the Report and Recommendation of the Bankruptcy Court.
2. The Petition is Granted.
3. Based upon the totality of the circumstances, the settlement entered into between the Plaintiff Trustee DANE S. FIELD (the "Trustee"), and Defendants (i) TRASHMASTERS, LLC; ("TrashMasters"); (ii) CORRIDOR CAPITAL LLC; CORRIDOR CAPITAL ADVISORS, LLC; CORRIDOR TRASHMASTERS, L.P.; CRAIG ENENSTEIN; L. GEOFFREY GREULICH; EDWARD A. MONNIER; and JESSAMYN DAVIS (collectively the "Corridor Defendants"), and (iii) SPB MANAGEMENT, LLC; SPB WASTE, LLC; SPB CAPITAL GP, LLC; SPB CAPITAL PARTNERS, L.P.; SPB PARTNERS, LLC; ARI D. BASS; SCOTT R. BULLOCH; and KENNETH M. PRESSBERG (collectively the "SPB Defendants"), and together with TrashMasters and Corridor Defendants, the "Settling Defendants") as set forth in the Settlement Agreement ("Settlement Agreement"), a copy of which is attached to the Petition as Exhibit "1", was made in good faith, within the meaning of Haw. Rev. Stat. § 663-15.5.

4. Each of the Settling Defendants and those persons or entities covered by the Releases set forth in the Settlement Agreement are discharged and dismissed with prejudice from all claims, cross-claims, counterclaims and third-party claims (however denominated), except those that may be based on a written indemnity agreement, filed or that could be filed or asserted by Defendants KRISTIAN GOURLAY; DOUGLAS L. ASAY; DOUGLAS D. ASAY; CHARLES E. LEONARD; ROLLOFFS HAWAII, INC.; THE KNG GROUP, LLC; BRIAN COLBECK [ESTATE OF BRIAN COLBECK]; and COLBECK CONSULTING, LLC (the "Non-Settling Defendants"), and any other defendant, third-party defendant, party or any other joint tortfeasor or co-obligor arising out of, or relating to, any of the damages, injuries or losses sustained, or alleged to be sustained, by the Trustee or the bankruptcy estate of Rolloffs Hawaii, LLC, in connection with or arising out of the matters covered by the Releases set forth in the Settlement Agreement. All such claims by the Non-Settling Defendants against the Settling Defendants are expressly barred by this Order.

5. There being no just reason for delay, this order and judgment shall be final, and subject to appeal, pursuant to Fed. R. Civ. P. 54(b) and Fed. R. Bankr. P. 7054.

DATED AT HONOLULU, HAWAII, November 6, 2020.



/s/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge